

AMENDMENTS TO LB 573

(Amendments to Standing Committee amendments, AM1088)

Introduced by Kruse, 13

1           1. Insert the following new sections:

2           Sec. 10. Section 53-167.03, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           53-167.03 (1) Any person who unlawfully tampers with,  
5 alters, or removes the keg identification number from a beer  
6 container or is in possession of a beer container described in  
7 section 53-167.02 with an altered or removed keg identification  
8 number after such container has been taken from the licensed  
9 premises pursuant to a retail sale and before its return to such  
10 licensed premises or other place where returned kegs are accepted  
11 shall be guilty of a Class III misdemeanor.

12           (2) A licensee may require a deposit of not more than the  
13 replacement cost of the container described in section 53-167.02  
14 from a person purchasing beer for consumption off the premises.  
15 Such deposit may be retained by the licensee, in the amount of  
16 actual damages, if upon return the container or any associated  
17 equipment is damaged or if the keg identification number has been  
18 unlawfully tampered with, altered, or removed and such tampering,  
19 alteration, or removal has been reported to a law enforcement  
20 officer.

21           Sec. 11. Section 53-180.02, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

1           53-180.02 Except as provided in section 53-168.06, no  
2 minor may sell, dispense, consume, or have in his or her possession  
3 or physical control any alcoholic liquor in any tavern or in any  
4 other place, including public streets, alleys, roads, or highways,  
5 upon property owned by the State of Nebraska or any subdivision  
6 thereof, or inside any vehicle while in or on any other place,  
7 including, but not limited to, the public streets, alleys, roads,  
8 or highways, or upon property owned by the State of Nebraska or any  
9 subdivision thereof, except that a minor may consume, possess, or  
10 have physical control of alcoholic liquor as a part of a bona fide  
11 religious rite, ritual, or ceremony. in his or her permanent place  
12 of residence or on the premises of a place of religious worship  
13 on which premises alcoholic liquor is consumed as a part of a  
14 religious rite, ritual, or ceremony.

15           The governing bodies of counties, cities, and villages  
16 shall have the power to, and may by applicable resolution or  
17 ordinance, regulate, suppress, and control the transportation,  
18 consumption, or knowing possession of or having under his or her  
19 control beer or other alcoholic liquor in or transported by any  
20 motor vehicle, by any person under twenty-one years of age, and may  
21 provide penalties for violations of such resolution or ordinance.

22           Sec. 13. Original sections 53-167.03 and 53-180.02,  
23 Reissue Revised Statutes of Nebraska, are repealed.

24           2. On page 4, line 9, strike "This" and insert "Sections  
25 1 to 9 of this" and after the last period insert "The other  
26 sections of this act become operative on their effective date.".

27           3. Renumber the remaining section accordingly.